UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/693,021	CAMERON ET AL.
	Examiner	Art Unit	
	TAMMY NGUYEN	2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>(3)</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>November 5, 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1, 3-10, 12-26, 28-32, 34-38</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1,3-10,12-26,28-32 and 34-38</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>12/16/08</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

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Detailed Office Action

1.   The Office action of November 5, 2008 is withdrawn and the following action is

taken.

2.   Claims 1, 3-10, 12-32, 34-38 are presented for examination.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
requirements of this title.

4.   Claims 1, 21-26, and 28-32 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

5.   As to claim 1, it appears that claims 1, 3-9 would reasonably be interpreted by one of

ordinary skill as a system of, failing to fall within a statutory category of invention.

Examiner respectively submits that Applicants' disclosure reciting "plurality of

principal objects…, a plurality of identity claims…, a plurality of identity references"

provides intrinsic evidence that the provisioning system of claims 1 and 3-9 is

intended to cover " software" alone is not a machine, and its clearly not a process,

manufacture nor composition of matter. Thus, the claim is not limited to statutory

subject matter and is therefore nonstatutory.

6.   As to claim 21-26, the claim fails to place the invention squarely within one statutory

class of invention. On page 2 lines 23-25 of the instant specification, applicant has

provided evidence that applicant intends the "medium" to include signals. As such,

the claim is drawn to a form of energy. Energy is not one of the four categories of

invention and therefore this claim(s) is/are not statutory. Energy is not a series of

steps or acts and thus is not a process. Energy is not a physical article or object and

as such is not a machine or manufacture. Energy is not a combination of substances

and therefor not a composition of matter.

7.   As to Claims 28-32, the claim fails the machine-or-transformation test which is a two-

branched inquiry. It may be shown that a process claim satisfies 35 USC § 101 by

showing that a claim is tied to a particular machine or by showing that a claim

transforms an article into a different state or thing. See *Gottschalk v. Benson, 409*

U.S. 63, 67 (1972). As to the first prong (machine), the Examiner cannot find any

showing that these claims are attached to a specific machine. As to the second prong

(transformation), the process claims do not transform a physical article into a

different state or thing. The process claims are merely manipulating abstract data

without regard to any physical article or object.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9.   Claims 1, 3-10, 12-32, 34-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Noel Abela, Publication No. US 2003/0177356 A1 (herein referred to as "Abela").

10.   As to claim 1, Abela discloses the invention as claimed, Abela discloses including a system for identifying principals within a computing environment, the system comprising: one or more computer system including: a plurality of principal objects [see page 8, paragraph 0107] (*individual or groups, country, organization*), wherein each principal object corresponds to a specific principal authenticated to perform a digital action within the computing environment [see paragraph 0105] (*successfully authenticated himself and needs to log into your web site*) and wherein each principal object is operable for use by a computer process within the computing environment to associate a plurality of resource objects [See paragraph 0074] (*every individual,*

organization, or other entity member is represented by a single record in the Unique

ID hosted by his or her or its country of origin) with the specific principal

corresponding to the principal object [see paragraph 0076] (*Unique ID field set called*

personal can have fields like name, address, sex, telephone mapped to it); and a

plurality of identity claims, wherein each identity claim uniquely identifies the

specific principal corresponding to each specific principal object, and wherein at least

one of the plurality of principal objects comprises two or more identity claims each

uniquely identifying the specific principal corresponding to the at least one principal

object (*it is inherent because every identity claims have to have a uniquely identifies,*

for example everyone have to have a SSN cited in specification page.1); a plurality of

identity references, wherein each of the plurality of identity references is associated

with a resource object within the computing environment, and wherein each of the

plurality of identity references identify the associated resource object as being

associated with a specific principal based on a link assertion within the identity

reference to a specific identity claim [See paragraph 0074] (*every individual,*

organization, or other entity member is represented by a single record in the Unique

ID hosted by his or her or its country of origin)

11.   As to claim 3, Abela discloses the invention as claimed, wherein each of the plurality

        of identity claims comprises a type assertion and a value assertion that collectively

        identify the specific principal corresponding to the principal object to which each of

        the identity claims are associated [see paragraph 0076] (*Unique ID field set called*

        personal can have fields like name, address, sex, telephone mapped to it).

12.   As to claim 4, Abela discloses the invention as claimed, wherein the link assertion within each of the plurality of the identity references comprises the type assertion and the value assertion specified in the specific identity claim to which each identity reference is linked [see paragraph 0076].

13.   As to claim 5, Abela discloses the invention as claimed, wherein a first type assertion for a first identity claim associated with a first principal object indicates that the value assertion in the first identity claim comprises an electronic mail address uniquely associated with a first principal corresponding to the first principal object [See paragraph 0074] (*every individual, organization, or other entity member is represented by a single record in the Unique ID hosted by his or her or its country of origin*).

14.   As to claim 6, Abela discloses the invention as claimed, wherein the first identity claim further comprises a start time reference assertion indicating a point in time when the email address was initially associated with the first principal [see paragraph 0082].

15.   As to claim 7, Abela discloses the invention as claimed, wherein the first identity claim further comprises an end time reference assertion indicating a point in time when the association between the email address and the first principal lapses [See paragraph 000091] (*hotmail, yahoo, and netscape mail*).

16.   As to claim 8, Abela discloses the invention as claimed, wherein a second type assertion for a second identity claim associated with the first principal object indicates that the value assertion in the second identity claim comprises a telephone number

uniquely associated with the first principal [See paragraph 0074] (*every individual, organization, or other entity member is represented by a single record in the Unique ID hosted by his or her or its country of origin*).

17.   As to claim 9, Abela discloses the invention as claimed, wherein the computing environment is a distributed computing system, and wherein at least one identity reference is maintained on a computer system different than a computer system on which the identity claim linked to the identity reference is maintained [see paragraph 0093].

18.   As to claim 10, Abela discloses the invention substantially as claimed, Abela discloses including a system for identifying a first principal within a computing environment, wherein the first principal is authenticated to perform a digital action within the computing environment, the system comprising one or more computer systems including: a first principal object [see page 8, paragraph 0107] (*individual or groups, country, organization*) corresponding to the first principal, wherein the first principal object is operable for use by a computer process within the computing environment [see paragraph 0105] (*successfully authenticated himself and needs to log into your web site*) to associate at least one resource object with the first principal [see paragraph 0074] (*every individual, organization, or other entity member is represented by a single record in the Unique ID hosted by his or her or its country of origin*); a plurality of identity claims, wherein each identity claim uniquely identifies the first principal, the first principal object including the plurality of identity claims such that the computer process may associate the at least one resource object with the

first principal using any of the plurality of identity claims (*it is inherent because every identity claims have to have a uniquely identifies, for example everyone have to have a SSN cited in specification page.1*); a first identity reference associated with a first resource object within the computing environment, wherein the first identity reference identifies the first resource object as being associated with the first principal based on a first link assertion within the first identity reference to a first identity claim in the plurality of identity claims [see paragraph 0107].

19.   As to claim 12, Abela discloses the invention as claimed, further comprising: a second identity reference associated with a second resource object within the computing environment, wherein the second identity reference identifies the second resource object as being associated with the first principal based on a second link assertion within the second identity reference to the first identity claim [see paragraph 0076] (*personal can have name, sex, address*).

20.   As to claim 13, Abela discloses the invention as claimed, wherein the first resource object represents a file associated with a first application program and the second resource object represents a file associated with a second application program [see fig.1].

21.   As to claim 14, Abela discloses the invention as claimed, wherein the first application program is a word processing application program [see fig.1].

22.   As to claim 15, Abela discloses the invention as claimed, wherein each of the plurality of identity claims comprises a type assertion and a value assertion that collectively specify the first principal, and wherein the first and second link assertions

comprise the type assertion and the value assertion specified in the identity claim to

which the first and the second identity references are linked [see paragraph 0072].

23.   As to claim 16, Abela discloses the invention as claimed, wherein a first type

assertion for the first identity claim indicates that the value assertion in the first

identity claim comprises an electronic mail address uniquely associated with the first

principal [see paragraph 0078].

24.   As to claim 17, Abela discloses the invention as claimed, wherein the first identity

claim further comprises: a start time reference assertion indicating a point in time

when the email address was initially associated with the first principal; and an end

time reference assertion indicating a point in time when the association between the

email address and the first principal lapses [see paragraph 0056].

25.   As to claim 18, discloses the invention as claimed, wherein the first principal is

selected from the group consisting of an individual, an organization and a module

within the computing environment [see fig.1].

26.   As to claim 19, Abela discloses the invention as claimed, wherein the computing

environment is a distributed computing system [see paragraph 0076].

27.   As to claim 20, Abela discloses the invention as claimed, wherein the computing

environment is a stand-alone computing system [see fig.1 client system 114].

28.   As to claim 21, Abela discloses the invention substantially as claimed, Abela

discloses including a computer readable medium having a data structure stored

thereon for use in identifying a principal authenticated to perform a digital action

within a computing environment [see paragraph 0105] (*successfully authenticated*

himself and needs to log into your web site), the data structure comprising: a value

assertion uniquely identifying the principal within a particular identification scheme

[see paragraph 0076]; a type assertion indicating the particular identification scheme

corresponding to the value assertion [see paragraph 0109]; and a time reference

assertion specifying a time frame in which the principal is uniquely identified by the

value assertion within the particular identification scheme [see paragraph 0091].

29.   As to claim 22, Abela discloses the invention as claimed, wherein the data structure

represents an identity claim that associates a principal object with the principal,

wherein the principal object is operable for use by a computer process within the

computing environment to associate at least one resource object with the principal

[see paragraph 0082].

30.   As to claim 23, Abela discloses the invention as claimed, wherein the time reference

comprises: a start time reference assertion indicating a point in time when the value

assertion was initially associated with the principal; and an end time reference

assertion indicating a point in time when the association between the value assertion

and the principal lapses [see paragraph 0056].

31.   As to claim 24, Abela discloses the invention as claimed, the data structure further

comprising: a display assertion specifying the value assertion in a form recognizable

to human users within the computing environment, wherein the computer process

displays the display assertion to a user in response to a request by the user to view the

association between the principal and the at least one resource object [see paragraph

0076].

32.   As to claim 25, Abela discloses the invention as claimed, wherein the principal is

        selected from the group consisting of an individual, an organization and a module

        within the computing environment [see paragraph 0058].

33.   As to claim 26, Abela discloses the invention as claimed, wherein the type assertion

        indicates that the value assertion comprises an electronic mail address uniquely

        associated with the principal.

34.   As to claim 27, Abela discloses the invention as claimed, wherein the type assertion

        indicates that the value assertion comprises a telephone number uniquely associated

        with the principal [see paragraph 0082].

35.   As to claim 28, Abela discloses the invention substantially as claimed, Abela

        discloses including a method for identifying a first principal authenticated to perform

        a digital action within a computing environment, the method comprising: creating a

        principal object [see page 8, paragraph 0107] (*individual or groups, country,*

        organization) operable for use by a computer process within the computing

        environment to identify the first principal as being associated with a plurality of

        resource objects maintained within the computing environment [see paragraph 0105]

        (*successfully authenticated himself and needs to log into your web site*); associating

        with the principal object a first identity claim uniquely identifying the first principal

        within a particular identification scheme [see paragraph 0076], wherein unique

        identification of the first principal within the particular identification scheme is

        accomplished by assignment of unique identification strings to each of a plurality of

        principals [See paragraph 0074] (*every individual, organization, or other entity*

member is represented by a single record in the Unique ID hosted by his or her or its country of origin); receiving a plurality of resource objects associated with a plurality of application programs, wherein each of the plurality of resource objects are associated with an identity reference comprising a declaration that links each resource object to the principal object [see paragraph 0066]; and identifying within the computing environment each of the plurality of resource objects as being associated with the first principal based on the declaration links contained in the associated identity references, wherein the computer process utilizes identification of each of the plurality of resource objects to the first principal to perform at least one task in connection with each identified resource object [see paragraph 0105], creating a phantom principal object in response to receiving a resource object having a identity [paragraph 0124] (*create a list of personal contacts in the form of their uID identifiers*) reference comprising a declaration that does not link the resource object to the principal object, the declaration comprising an identification string uniquely identifying a second principal within the particular identification scheme [paragraph 0016] *(universal unique identifier to practically every person and any other entity in the world*), and wherein the phantom principal object is created to include the identification string assigned to the second principal, wherein the resource object is associated with the phantom principal object; saving the phantom principal object to data store containing the principal object corresponding to the first principal; receiving a principal object; and replacing the phantom principal object with the new principal object [paragraph 0095].

36.   As to claim 29, Abela discloses the invention as claimed, wherein the receiving act

comprises: receiving a first resource object having associated therewith a first identity

reference linked to the first identity claim based on a first declaration comprising a

unique identification string assigned to the first principal, wherein the first resource

object represents a first file associated with a first application program; and receiving

a second resource object having associated therewith a second identity reference

linked to the first identity claim based on a second declaration comprising the unique

identification string assigned to the first principal, wherein the second resource object

represents a second file associated with a second application program [see paragraph

0056].

37.   As to claim 30, Abela discloses the invention as claimed, wherein the identifying act

comprises: identifying the first file and the second file as being associated with the

first principal based on the linking of the first identity reference and the second

identify reference to the first identity claim [see paragraph 0059]

38.   As to claim 31, Abela discloses the invention as claimed, further comprising:

associating with the principal object properties associated with the first principal,

wherein the task performed by the computer process in response to the identifying act

comprises an act of displaying a graphical representation of the properties associated

with the first principal in conjunction with a graphical representation of at least one of

the plurality of resources linked to the principal object [see paragraph 0082](*Unique

ID organization); creating a phantom principal object in response to receiving a

resource object having a identity reference comprising a declaration that does not link

the resource object to the principal object, the declaration comprising an identification

string uniquely identifying a second principal within the particular identification

scheme, and wherein the phantom principal object is created to include the

identification string assigned to the second principal; and saving the phantom

principal object to a data store containing the principal object corresponding to the

first principal [see paragraph 0076].

39.   As to claim 32, Abela discloses the invention as claimed, further comprising:

associating with the principal object properties associated with the first principal,

wherein the task performed by the computer process in response to the identifying act

comprises an act of authenticating access by the first principal to at least one of the

plurality of resources linked to the principal object [see paragraph 0082].

40.   As to claim 34, Abela discloses the invention as claimed, further comprising:

receiving a second principal object, wherein the second principal object comprises a

second identity claim that comprises the identification string assigned to the second

principal; and in response to determining that the phantom principal object and the

second principal both correspond to the second principal, deleting the phantom

principal object from the data store and saving to the data store the second principal

object such that the second principal object is operable for use by the identifying act

[see paragraph 0078].

41.   As to claim 35, Abela discloses the invention as claimed, wherein the first identity

claim is stored in the computing environment in a data store, the method further

comprising: in response to receiving a second identity claim for storage into the data

store, determining whether the second identity claim and the first identity claim both

specify an identical unique identification string; and in response to determining that

both the first identity claim and the second identity claim specify the identical unique

identification string, invoking a fault resolution process to determine a primary

identity claim that is to be stored in the data store and available to the identifying act

[see paragraph 0078].

42.   As to claim 36, Abela discloses the invention as claimed, wherein the invoking act

comprises: merging data stored in the second identity claim into the first identity

claim [see paragraph 0076].

43.   As to claim 37, Abela discloses the invention as claimed, wherein the invoking act

comprises: deleting the first identity claim; and storing in the data store the second

identity claim [see paragraph 0058].

44.   As to claim 38, Abela discloses the invention as claimed, wherein a computer

program product readable by a computer system and tangibly embodying a program

of instructions executable by the computer system to perform the method of claim 28

[see paragraph 0059].

Conclusion

45.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-

3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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/Thanh Tammy Nguyen/
Primary Examiner, Art Unit 2444